

J. RANDALL JONES, ESQ. (#1927)
r.jones@kempjones.com
MICHAEL J. GAYAN, ESQ. (#11135)
m.gayan@kempjones.com
MONA KAVEH, ESQ. (#11825)
m.kaveh@kempjones.com
KEMP JONES, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Telephone: (702) 385-6000
Facsimile: (702) 385-6001

Attorneys for Defendant

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SARA SANGUINETTI, individually and on
behalf of all others similarly situated;

Plaintiffs,

vs.

NEVADA RESTAURANT SERVICES,
INC.,

Defendant.

RAYMOND D. SPEIGHT, individually and
on behalf of all others similarly situated;

Plaintiffs,

vs.

NEVADA RESTAURANT SERVICES,
INC.,

Defendant.

Case No.: 2:21-cv-01768-RFB-DJA

**STIPULATION AND ORDER TO
CONTINUE JUNE 7, 2022, HEARING
[ECF NO. 41]**

[FIRST REQUEST]

Consolidated With: 2:21-cv-01780-RFB-EJY

**STIPULATION AND ORDER TO
VACATE JUNE 7, 2022, HEARING [ECF
NO. 26]**

[FIRST REQUEST]

Defendant Nevada Restaurant Services, Inc. ("Defendant"), and Plaintiffs Sara Sanguinetti, Raymond D. Speight, David Dietzel, Patricia Saavedra, and Nina S. Kuhlmann ("Plaintiffs"), by and through their counsel of record, hereby stipulate and agree as follows:

Case No.: 2:21-cv-01768-RFB-DJA:

1. On October 26, 2021, Defendant filed a Motion to Dismiss Plaintiff Sanguinetti's class action lawsuit. ECF No. 12. On November 1, 2021, the parties stipulated to consolidate this action with Case No. 2:21-cv-01780-RFB-EJY, which this Court granted. ECF Nos. 13 & 14.

2. On November 16, 2021, Plaintiffs filed an Amended Consolidated Class Action Complaint. ECF No. 20. On December 21, 2021, Defendant filed a Motion to Dismiss Plaintiffs' Consolidated Class Action Complaint (ECF Nos. 26 & 29), followed by Plaintiffs' Opposition (ECF No. 30), and Defendant's Reply (ECF No. 32). Defendant also filed a Motion to Exceed Page Limit for Reply in Support of Motion to Dismiss Amended Consolidated Class Action Complaint. ECF No. 31.

3. On May 27, 2022, the Court denied Defendant's original Motion to Dismiss (ECF No. 12) without prejudice as moot, and set a hearing on Defendant's Motion to Dismiss Amended Consolidated Class Action Complaint (ECF Nos. 26 & 29) and Motion to Exceed Page Limit for Reply in Support of Motion to Dismiss Amended Consolidated Class Action Complaint (ECF No. 31), for June 7, 2022, at 2:00 p.m., via zoom. ECF No. 41.

4. The parties agree to continue the hearing on Defendant's Motions (ECF Nos. 26, 29, & 31) because Defendant's counsel who will be arguing the motions is recovering from the Covid-19 illness.

5. Subject to this Court's availability, the parties have conferred as to their availability and request that the hearing on Defendant's Motions (ECF Nos. 26, 29, & 31) be continued to June 30, 2022, after 10:00 a.m., or July 14, 2022, or to another date after June 20, 2022, that is convenient for the Court.

Case No.: 2:21-cv-01780-RFB-EJY:

6. On October 26, 2021, Defendant filed a Motion to Dismiss Plaintiff Speight's class action lawsuit. ECF No. 17. On November 1, 2021, the parties stipulated to consolidate

KEMP JONES, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

1 this action with Case No. 2:21-cv-01768-RFB-DJA, the first-filed case, which this Court
2 granted. ECF Nos. 18 & 21.

3 7. Shortly thereafter, as mentioned above, Plaintiffs (including Speight) filed an
4 Amended Consolidated Class Action Complaint under the lead Case No. 2:21-cv-01768-RFB-
5 DJA, which was followed by Defendant's Motion to Dismiss Amended Consolidated Class
6 Action Complaint. *See* ¶ 2 above. Thus, Defendant's original Motion to Dismiss Plaintiff
7 Speight's class action lawsuit (ECF No. 17) is also moot.

8 8. On May 27, 2022, the Court also set a hearing on Defendant's Motion to Dismiss
9 Plaintiff Speight's class action lawsuit (ECF No. 17) for June 7, 2022, at 2:00 p.m., via zoom.
10 ECF No. 26. Because Defendant's Motion at ECF No. 17 has been superseded by Defendant's
11 Motion to Dismiss Amended Consolidated Class Action Complaint filed in the lead case, the
12 parties agree to vacate the hearing on Defendant's Motion at ECF No. 17.

13 Dated June 4, 2022.

Dated June 4, 2022.

14 KEMP JONES, LLP

15 /s/ Mona Kaveh

16 J. Randall Jones, Esq. (#1927)
17 Michael J. Gayan, Esq. (#11135)
18 Mona Kaveh, Esq. (#11825)
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169

19 *Attorneys for Defendant*
20 *Nevada Restaurant Services, Inc.*

21 /s/ George Haines

George Haines, Esq. (#9411)
Gerardo Avalos, Esq. (#15171)
FREEDOM LAW FIRM
8985 South Eastern Ave., Suite 350
Las Vegas, Nevada 89123

David Hilton Wise, Esq.
Joseph M. Langone, Esq.*
WISE LAW FIRM, PLC
421 Court Street
Reno, Nevada 89501

M. Anderson Berry, Esq.*
Gregory Haroutunian, Esq.*
CLAYEO C. ARNOLD,
A PROFESSIONAL LAW CORP.
865 Howe Avenue
Sacramento, CA 95825

Gary M. Klinger*
MILBERG COLEMAN BRYSON
PHILLIPS GROSSMAN, PLLC
227 Monroe Street, Suite 2100
Chicago, IL 60606

KEMP JONES, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

David K. Lietz*
MILBERG COLEMAN BRYSON
PHILLIPS GROSSMAN, PLLC
5335 Wisconsin Avenue NW, Suite 440
Washington, D.C. 20015-2052

Michael Kind, Esq. (#13903)
KIND LAW
8860 South Maryland Parkway, Suite 106
Las Vegas, Nevada 89123

Attorneys for Plaintiffs and the Class
**pro hac vice*

ORDER

Case No.: 2:21-cv-01768-RFB-DJA:

Based upon the foregoing Stipulation and Order to Continue June 7, 2022, Hearing [ECF No. 41], the June 7, 2022, hearing on Defendant's Motion to Dismiss Plaintiffs' Consolidated Class Action Complaint (ECF Nos. 26 & 29), and Defendant's Motion to Exceed Page Limit for Reply in Support of Motion to Dismiss Amended Consolidated Class Action Complaint (ECF No. 31) is vacated and rescheduled to the 30th day of June, 2022, at 8:30 a.m. by videoconference.

Case No.: 2:21-cv-01780-RFB-EJY:

Based upon the foregoing Stipulation and Order to Vacate June 7, 2022, Hearing [ECF No. 26], the June 7, 2022, hearing on Defendant's Motion to Dismiss Plaintiff Speight's class action lawsuit (ECF No. 17) is vacated.

IT IS SO ORDERED:



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

DATED: June 6, 2022